

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
CIVIL CASE NO. 1:23-cv-00354-MR**

PHILLIP EUGENE THOMAS,

Plaintiff,

vs.

JAMES ELLIS, et al.,

Defendants.

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ORDER

THIS MATTER is before the Court on Defendant James Ellis's Motion for Order Allowing Prison Deposition of Plaintiff [Doc. 15].

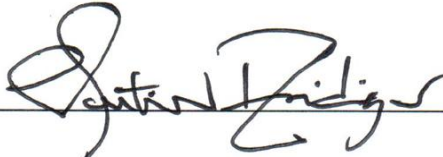
The Defendant seeks to take the incarcerated Plaintiff's deposition pursuant to Rule 30(a)(2)(B) of the Federal Rules of Civil Procedure. For the reasons stated therein, the Defendant's Motion will be granted.

IT IS, THEREFORE, ORDERED that the Defendant's Motion for Order Allowing Prison Deposition of Plaintiff [Doc. 15] is **GRANTED**. Defense counsel may depose the Plaintiff at a date to be selected by the prison administrator and defense counsel. The deposition may proceed in-person in a room to be designated by the administrator of the institution, or via a remote platform such as Zoom or Webex, subject to the agreement of the

prison administrator and defense counsel. A guard shall be present during the deposition should it proceed in-person.

IT IS SO ORDERED.

Signed: October 10, 2024

A handwritten signature in black ink, appearing to read "Martin Reidinger", written over a horizontal line.

Martin Reidinger
Chief United States District Judge

